



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sasa Bajt

Attorney Docket: CIL-10782B

Serial No.: 10/066,108

Art Unit: 1775

Filed : February 1, 2002

Examiner: A. Turner

For : Optimized Capping Layers For EUV Multilayers

DECLARATION UNDER 37 CFR §1.132

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

I, Sasa Bajt, hereby declare that I am a citizen of Slovenia and a resident of Livermore, California.

I have a PhD in physics from the University of Heidelberg, Germany.

I am a physicist with the University of California, Lawrence Livermore National Laboratory at Livermore, California.

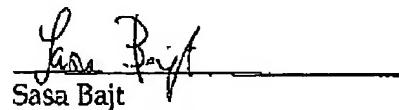
I have worked in the X-ray imaging and optics field at Lawrence Livermore National Laboratory for 6 years.

I have read the Final Office action and would like the examiner to consider my comments in response thereto.

The Examiner asserts that claims 1-23 are anticipated by Montcalm et al. (5,958,605); however, the reference uses a bilayer with a bottom layer of Si or Be on which is a top layer of an elemental compound that resists oxidation or corrosion. The bottom layers disclosed in the reference will not prevent interdiffusion. Attached, please find four publications that discuss Ru/Si and Ru/Be multilayers and specifically mention interdiffusion that limits the reflectivity of these multilayers. Regarding the Examiner's discussion of the mixed layer of the reference (numeral 36 in Fig. 1B), the claims in the present case have been amended to remove any possible interpretation that the bottom overcoat layer comprises a mixed layer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
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Sasa Bajt

Dated: December 4, 2003